

DECISION



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**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548

FILE: B-200218

DATE: October 6, 1980

MATTER OF: Interactive Systems Corporation

DLG-05284

DIGEST:

[Protest alleging that agency did not allow adequate time to respond to *RFP* request for proposals is untimely under GAO Bid Protest Procedures when filed 18 minutes after closing date for receipt of initial proposals.]

Interactive Systems Corporation (Interactive) protests that inadequate time was allowed to respond to request for proposal (RFP) No. 0080-1 SSS issued by the Selective Service System. Interactive states that its first notice of the RFP was on August 19, 1980, in that day's issue of the Commerce Business Daily (CBD). The CBD announcement stipulated September 3, 1980, as the closing date for receipt of initial proposals. Interactive argues that the 10-working-day response time was inadequate given the information required in the RFP.

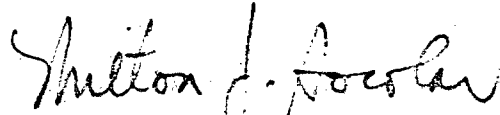
Under our Bid Protest Procedures, the allegation of inadequate response time is a protest based upon an alleged impropriety in the solicitation. Health Care Services, Inc., B-195599, August 13, 1979, 79-2 CPD 118; Chambers Consultants and Planners, B-192465, August 18, 1978, 78-2 CPD 134. Protests based upon an alleged impropriety in a solicitation, which is apparent prior to bid opening or the closing date for receipt of initial proposals, must be filed "prior to bid opening or the closing date for receipt of initial proposals" as provided in section 20.2(b)(1) of our Bid Protest Procedures, 4 C.F.R. part 20 (1980).

The Selective Service has advised us that the closing date for receipt of the initial proposal was on September 3, 1980, at 4 p.m. Interactive's letter of protest was hand-delivered to our Office on September 3, 1980, at 4:18 p.m., 18 minutes after the time set for

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receipt of proposals. Therefore, the protest is untimely and not for consideration on the merits. See Memorex Corporation, B-195945, October 1, 1979, 79-2 CPD 235, where the protest was hand-carried to GAO and received 14 minutes after the time set for receipt of initial proposals.

The protest is dismissed.

A handwritten signature in cursive script, reading "Milton J. Socolar".

Milton J. Socolar
General Counsel